

To: Jackson, Mary[Jackson.Mary@epa.gov]
Cc: Chow, Rita[Chow.Rita@epa.gov]; Livnat, Alexander[Livnat.Alexander@epa.gov]; Souders, Steve[Souders.Steve@epa.gov]; Behan, Frank[Behan.Frank@epa.gov]; Johnston, Jon[Johnston.Jon@epa.gov]
Bcc: Simonson, Davy[Simonson.Davy@epa.gov]
From: Simonson, Davy
Sent: Thur 8/11/2016 1:40:08 PM
Subject: FW: BU documentation
[Bu Demonstration Report-H&A.pdf](#)
[Stanislaus Letter 6 23 16.pdf](#)

Good morning Mary.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Davy

From: Jackson, Mary

Sent: Wednesday, July 27, 2016 3:10 PM

To: Chow, Rita ; Simonson, Davy ; Livnat, Alexander ; Souders, Steve ; Celeste, Laurel ; Behan, Frank

Subject: FW: BU documentation

From: Danny Gray [mailto:DGray@charah.com]

Sent: Wednesday, July 27, 2016 3:06 PM

To: Jackson, Mary <Jackson.Mary@epa.gov>

Cc: Peter McGrath <petermcgrath@mvalaw.com>

Subject: RE: BU documentation

Ms. Jackson;

To followup on our call earlier today, I contacted Peter McGrath to discuss his understanding of the communications between EPA Region IV-Davey Simonson and himself related to Charah's Brickhaven Beneficial Use site located in Chatham County. His notes from the conversation with Davey are clarified below and convey his understanding of that call. However, responding to your email request, I am forwarding the requested documents.

Attached are two documents related to Charah's Chatham County Beneficial Use site. One is the demonstration report (dated 2/23/15) which addresses the four qualifying criteria for meeting the definition of Beneficial Use and the second is a letter sent to EPA on June 23, 2016 addressed to Mathy Stanislaus requesting clarification regarding website requirements for beneficial use projects. The project documents are housed in a website at

As it relates to the phone call with Region IV, Peter McGrath spoke with Davy Simonson of Region IV on June 14 (not June 7). Mr. Simonson explained that EPA was in the early stages of determining how to handle CCR sites on the open dump inventory. Mr. Simonson indicated that EPA was aware of the Colon and Brickhaven sites as a result of public requests for information, and learned from NC DEQ that there were no websites for those facilities. Peter explained that the facilities were beneficial use sites and not landfills so no websites are required. Peter indicated that Charah had obtained an analysis of that issue but that he would check with the Charah to determine what information we could readily provide. Mr. Simonson indicated that the next step should be a call among Charah, EPA HQ and Region IV.

If there are additional questions, please contact me.

Danny L. Gray

Executive Vice President for Governmental/Environmental Affairs | Charah, Inc.

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From: Jackson, Mary [mailto:Jackson.Mary@epa.gov]

Sent: Wednesday, July 27, 2016 1:30 PM

To: Danny Gray <DGray@charah.com>

Subject: BU documentation

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*****FROM EXTERNAL DOMAIN*****

Danny,

I would appreciate if you could forward your BU demonstration documentation to me.

Thanks,

Mary